

In writing this, I want to express my concern for the bereavement of civil liberties which the FCC would be imposing on Air1 radio and other private broadcasting stations, if they pass the changes recently proposed. These rule changes are intended to protect someone from hearing "hate speech" or from giving uneven amounts of air time to certain political parties. However, their rules would be effectively imposing penalties on private broadcasting stations for exercising their First Amendment rights. These penalties would be severe and consequential.

For instance, un-staffed operations have been the norm for years, and the FCC is considering a rule to require staffing whenever a radio station is on the air – even if all the programming at that time is delivered by satellite. This would likely close a great number of small radio stations. This is harsh punishment for a wrong never committed. In what other industry is there a penalty for becoming more automated? In what other industry is there a penalty for becoming more cost-efficient?

Specifically, the FCC is considering a proposal that would force every radio station to take programming advice from community advisory boards broadly representative of an area's population. Who would determine what constitutes ideas that are "broadly representative of an area's population?" Would these ideas have to represent a broad range of religions? political sways? races, ethnicities, economic statuses? Is this even possible? Of course, not. The list would go on and on. And who would have the right to arbitrarily determine how far one would have to go to represent their community? Radio would be a cacophony of ideas that make no sense. For in a free society, losing the freedom to have a particular opinion is losing the freedom to make sense of the world around you. It is "stop think" to make a statement and then to say that that statement really has no relevance whatsoever, because a plethora of other ideas exist. What is the point of knowledge if you can make no value judgments about what is good, right, and true? Things that are good, right, and true must be fought for (and I am not speaking of physical fights). The FCC is attempting to take dialogue about the definition of goodness and truth out of the airwaves. They are couching it in the language of fairness. It is fair only to a few.

And what is more, it is overkill that is going to kill many private businesses.

If I go into a shoe store and see a pair of shoes that I hate, I can't sue Nike. If I walk into a department store and the message on a t-shirt offends me, I can't sue Express. If I go into a coffee store, and they're not selling fair trade coffee, I can't sue the coffee roaster. What do I do when a new style of anything comes out, and it becomes hard to find a style that I like? I continue to say "no" to the things I don't like, and I latch on to the brand I do like. In the same way, when I find that there is a certain idea on the radio that seems like it is everywhere, I ignore the stations I don't like, and I latch on to the stations I do. I settle it myself. I don't try to sue. It's not a fight worth fighting.

The FCC has yet to show that the exercise of the First Amendment by these private companies is causing a breach of the peace or inciting violence. That is the only reason that the Supreme Court has allowed the government to crack down on free speech in the past. If any person has caused harm to another individual because they were influenced by talk radio, or a Christian radio station, or another station, I plead for the victim to state their case and seek recompense. They alone can intelligently articulate the specific wrong that occurred and what needs to be changed. Again, the FCC is seeking to heavily penalize businesses who are exercising their First Amendment right. These are businesses who for the most part intend no harm to other people - certainly no physical or psychological harm. In most cases, they are merely referencing ideas, and while ideas are powerful (they induce actions) America is a place for the exchange of ideas (to the exclusion of some and the inclusion of others). It is only "Big Brother" who would seek to limit what we are NOT allowed to speak and what we are NOT allowed to NOT speak.

The last FCC rule change of import would require that stations report, every three months, how much programming of various types has been broadcast, who produced it, and how it reflects the interests of a cross-section of local residents – even those who do not share the values of the private owners of the station. I must ask, does the FCC intend to install a device on every radio that will keep

listeners from changing the channel when the DJ plays a song they don't like, or the minister chooses a sermon they don't like? Am I the only one who admits that they exercise the right not to listen to stations that offend me? Of course, not. I have come to expect and anticipate which hosts, DJ's, and yes, whole stations, will offend me. It is a peaceful act to change the station. I will continue to make a peaceful statement, simply by changing the station.

And I will keep making value judgments, even when part of what I don't want to hear becomes mandatory on my usual stations. What will the FCC really accomplish by all of their fine levying and all of the licenses they take away? Their efforts will only result in financially punishing those stations that have the courage to fight for a consistent unadulterated message. And, as the tax dollars empty from my pockets and trickle into the pockets representing the FCC in court, my little finger will still be the judge of what I hear.